

OPINION
58-248

August 14, 1958 (OPINION)

STATE GOVERNMENT

RE: Board of Administration - Control of Capitol Grounds - Parking

This is in reference to your letter of August 7, 1958, in which you ask for an opinion of this office concerning the powers of the Board of Administration in its control of the capitol grounds. Your specific question is: "may we legally remove all improperly parked cars at the expense of the owners?"

Section 54-2118 of the 1957 Supplement to the North Dakota Revised Code of 1943 provides:

"The board shall have charge and control of the capitol and the park and public grounds connected therewith except as hereinafter otherwise provided. . . ."

It is the opinion of this office that this section of the code gives the Board of Administration the power to make and enforce rules for parking on the capitol grounds and that the board may provide for the removal of all improperly parked cars at the expense of the owners.

However, this regulation should be promulgated, and in addition, it would seem that what constitutes an improperly parked car should also be clearly outlined to the public who is using the capitol grounds for parking.

LESLIE R. BURGUM

Attorney General